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FACSIMILE TRANSMISSION

DATE: June 25, 2003

TO:

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Examiner Bradley L. Sisson United States Patent and Trademark Office	703-746-5020	

FROM: Jeffrey D. Peterson

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EXTENSION: 7526

LOCATION: 9th floor

RE: U.S. Patent Application No. 09/475,958
CELL CONCENTRATION AND LYSATE CLEARANCE USING
PARAMAGNETIC PARTICLES
Applicant: Rex M. Bitner, et al.
Confirmation No. 7117

NUMBER OF PAGES, INCLUDING COVER:		9	
CLIENT MATTER NUMBER:	016026-9038	SENDER'S ACCOUNT NUMBER:	826

NOTES/COMMENTS:

Please see attached Supplemental Submission and kindly confirm that you have received the Supplemental Submission via facsimile.

Thanks you.

cc: Docketing

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Group Art Unit 1634

In re

Patent Application of

Rex M. Bitner, et. al.

Application No. 09/475,958

Confirmation No. 7117

Filed: December 30, 1999

Examiner: Bradley L. Sisson

"CELL CONCENTRATION AND LYSATE
CLEARANCE USING PARAMAGNETIC
PARTICLES"

I, Sandy Tabachnick, hereby certify that this correspondence is
being facsimile transmitted to the U.S. Patent and Trademark Office
at (703)-746-5020 on the date of my signature.

Sandy Tabachnick
Signature

June 25 2003
Date of Signature

SUPPLEMENTAL SUBMISSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This supplemental submission is in response to the Office communication of June 16, 2003. A non-final Office action was originally mailed April 5, 2002. Applicants responded to the action on July 5, 2002. Applicants received an Office Communication on August 27, 2002 indicating that the response was incomplete and that support for the amendments were not specifically pointed out in the response. Applicants responded to this communication on September 12, 2002, including support for the amendments in the argument section of the response. Applicants received the current Office communication, mailed June 16, 2003, which indicated that the supplemental response of September 12, 2002 failed to indicate where the amendments had support in the specification. In a telephone conversation with Examiner Sisson on June 25, 2003, the Examiner indicated that the support for the amendments must be shown in the initial Remarks section of the response.

In response to the Examiner's request, this submission repeats the amendments originally filed on August 27, 2002 along with an indication detailing support for the

substantive arguments originally presented in the August 27th, 2002 in response to the Office Action of July 5, 2002.

AMENDMENTS

In the specification:

Please replace the paragraph beginning with "When the silica magnetic particles . . .", on page 11, line 27 of the specification, with the following paragraph:

When the silica magnetic particles have ion exchange ligands covalently attached thereto, the silica-based surface material acts primarily as a solid support for the ion exchange ligands, which enable the particles to form complexes with the various solutes to be isolated or removed from any given solution. When used to isolate a target nucleic acid, the ion exchange ligands are preferably capable of forming a complex with the target nucleic acid by exchanging therewith at one pH, and of releasing the target nucleic acid at another pH. The most preferred ion exchange ligands are ones which complex with the target nucleic acid at a pH which is lower than a neutral pH, and which release the target nucleic acid at about a neutral pH and in low salt conditions, so the target nucleic acid released therein can be used immediately, without concentration or further isolation. Such preferred ion exchange ligands are pH dependent ion exchange matrices which incorporate such ligands are described in U.S. Patent Application Ser. No. 09/312,172, now U.S. Patent No. 6,310,199, for an invention titled pH DEPENDENT ION EXCHANGE MATRIX AND METHOD OF USE IN THE ISOLATION OF NUCLEIC ACIDS, incorporated by reference herein, an application filed concurrently with the provisional patent application on which the present non-provisional patent application is based.